

### **Remarks**

In the outstanding office action, the only rejection which was advanced against the claims was on the ground of nonstatutory obviousness-type double patenting in view of claims 1-3, 5-8 and 10-13 of U.S. Patent Number 6,853,491. In the office action it was noted that a timely filed terminal disclaimer in compliance with 37 CFR 1.321 (c) or 1.321 (d) may be used to overcome the rejection.

Such a terminal disclaimer has been filed in this case, and this is believed to remove the grounds for rejection, as noted in the outstanding office action.

In view of the above discussion, it is respectfully submitted that the present application is in condition for the allowance. If, for any reason, the examiner believes in consultation with the undersigned will be useful to advance the prosecution, the examiner is invited to contact counsel to discuss any remaining issues.

Respectfully submitted,

Dated: December 2, 2010

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